NOTIFICATION.

No. L.D. 1152, Bangalore, dated 14th March 1951.

Under Rule 36 of the Mysore Legislative Rules, The Mysore Excise (Amendment) Bill, 1951, together with Statement of objects and reasons, is published for general information.

THE MYSORE EXCISE (AMENDMENT) BILL, 1951.

A Bill further to amend the Mysore Excise Act, 1901.

WHEREAS it is expedient further to amend the Mysore Excise Act, 1901, (Mysore Act V of 1901), for the purpose hereinafter appearing ; Preamble.

It is hereby enacted as follows.—

1. (1) This Act may be called the Mysore Excise (Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force at once.

2. After clause (1) of section 3 of the Mysore Excise Act, 1901, (hereinafter referred to as the said Act), the following clause shall be inserted, namely :— Amendment of section 3 of Mysore Act V of 1901.

"(1-A) 'Government' means the State Government" ;

3. For section 13-A of the said Act, the following section shall be substituted, namely:— Substitution of a new section for section 13-A of Mysore Act V of 1901.

"13-A. Notwithstanding anything contained in section 13, the Government may, by notification in the *Mysore Gazette*, prohibit the possession by any individual or class or body of individuals or the public generally either throughout the State of Mysore or in any local area, of any liquor or intoxicating drug either absolutely or subject to such conditions as may be prescribed." Prohibition of possession of any liquor or intoxicating drug.

Statement of Objects and Reasons.

Section 13-A of the Excise Act, 1901, vests power in the Government to prohibit, by notification, the possession by any person or class of persons either throughout the

whole of Mysore or in any local area of any liquor or intoxicating drug either absolutely or subject to such conditions as may be prescribed. While examining a notification issued in pursuance of this section, the words "by any person or class of persons" occurring therein have been interpreted to mean a person designated by name or by description or a class of persons designated, but not as including the public generally. In view of this judicial interpretation, it is considered necessary to clarify the wording of the section on the lines of similar changes effected in the Bombay Abkari Act.

This Bill is intended to secure this object.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Legal Remembrancer and
Secretary to Government,
Law Department.